

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1943

No. 1029

UNION PACIFIC RAILROAD COMPANY, A CORPORATION,

v.

Petitioner.

ANNABELLE C. UTTERBACK, WILLIAM R. UTTERBACK, MARJORIE E. UTTERBACK, AND FRANK S. SEVER, GUARDIAN AD LITEM FOR SAID WILLIAM R. UTTERBACK AND MARJORIE E. UTTERBACK.

BRIEF IN SUPPORT OF PETITION FOR WRIT OF CERTIORARI

This case and *Union Pacific Railroad Company v. Lila B. Thatcher* (docket as No. 1028 in this Court) are companion cases. The material facts in the two cases are identical, and both involve the same questions of law. They were heard together in the trial court and in the Supreme Court of Oregon. Therefore we are adopting by reference our brief in the *Thatcher* case as our supporting brief in this case.

Respectfully submitted,

ROY F. SHIELDS,

ROBERT F. MAGUIRE,

Counsel for Petitioner.

THOMAS W. BOCKES,

Of Counsel for Petitioner.

(1892)